

# House Study Bill 219

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
PUBLIC SAFETY BILL BY  
CHAIRPERSON LYKAM)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to civil service for deputy county sheriffs by  
2 allowing a county to appeal certain decisions of the civil  
3 service commission.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2105HC 82  
6 eg/je/5

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1 1 Section 1. Section 341A.12, unnumbered paragraph 2, Code  
1 2 2007, is amended to read as follows:  
1 3 ~~if the order of removal, suspension, or demotion is~~  
~~1 4 concurred in by a majority of the commission, the The county~~  
~~1 5 or the accused may appeal therefrom from the commission's~~  
~~1 6 finding and decision~~ to the district court of the county where  
1 7 the accused resides. Such appeal shall be taken by serving  
1 8 upon the commission within thirty days after the entry of its  
1 9 ~~order finding and decision~~, a written notice of appeal,  
1 10 stating the grounds thereof, and demanding that a certified  
1 11 transcript of the record and of all papers on file in the  
1 12 office of the commission affecting or relating to its ~~order~~  
1 13 ~~finding and decision~~, be filed by the commission with the  
1 14 court. The commission shall, within ten days after the filing  
1 15 of the notice make, certify, and file such transcript with the  
1 16 court. The court shall proceed to hear and determine the  
1 17 appeal in a summary manner. Such hearing shall be confined to  
1 18 the determination of whether the ~~order of removal, suspension,~~  
~~1 19 or demotion made by finding and decision of the commission to~~  
~~1 20 affirm, modify, or revoke the order of the sheriff~~ was made in  
1 21 good faith and for cause, and no appeal shall be taken except  
1 22 upon such grounds. The decision of the district court may be  
1 23 appealed to the supreme court.

### EXPLANATION

1 24 Pursuant to Code section 341A.12, a civil service  
1 25 commission may affirm, modify, or revoke a sheriff's order of  
1 26 removal, suspension, or reduction in rank against an accused  
1 27 deputy sheriff. The accused may appeal the finding and  
1 28 decision of the commission to the district court. This bill  
1 29 allows a county to appeal a finding and decision of a  
1 30 commission to the district court.  
1 31 LSB 2105HC 82  
1 32 eg:sc/je/5  
1 33